

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|----------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | 4:08CR3172 |
| |) | |
| v. |) | |
| |) | |
| KEVIN S. BOSLAU, |) | MEMORANDUM AND ORDER |
| |) | |
| Defendant. |) | |
| _____ |) | |

THIS MATTER comes before the court on defendant's unopposed motion to continue the deadline for filing pretrial motions. (Filing No. [16](#)). The defendant is awaiting receipt of additional Rule 16 materials from the government and therefore needs additional time to complete his pretrial investigation. The Court, being fully advised in the premises, finds that said motion should be granted.

IT IS THEREFORE ORDERED:

- 1) Defendant's motion to continue the deadline for filing pretrial motions, (filing no. [16](#)), is granted. Defendant's pretrial motions and briefs shall be filed on or before February 13, 2009.
- 2) The ends of justice will be served by continuing the pretrial motion deadline, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of defendant's motion, the time between today's date and February 13, 2009 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into

consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 26th day of January, 2009.

BY THE COURT:

s/Richard G. Kopf

United States District Judge